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RICHARD A. MARSHACK

FILED & ENTERED

NOV 12 2009

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY toliver DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION

In re

FOUR STAR FINANCIAL SERVICES,
LLC,

Debtor.

Case No. 2:03-bk-37579-TD

Chapter 7

ORDER ON CHAPTER 7 TRUSTEE'S FIRST
OMNIBUS MOTION FOR ORDER
DISALLOWING AND/OR RE-CLASSIFYING
THE FOLLOWING SECURED CLAIMS:

<u>Claim No.</u>	<u>Claimant</u>
121	Jack and Nonie White
241	Richard H. Elder
244	House Ear Clinic Profit Sharing
252	Derald E. and Charlotte J. Brackmann
259	Derald E. and Charlotte J. Brackmann

Date: November 4, 2009
Time: 10:00 a.m.
Ctvm: 1352

The Trustee's First Omnibus Motion for Order Disallowing and/or Re-Classifying
Alleged Secured Investor Claims (the "Motion") filed as Docket No. 759, and the Amendment
to the Motion (the "Amendment") filed as Docket No. 769, by Richard A. Marshack in his
capacity as Chapter 7 Trustee for the Bankruptcy Estate of Four Star Financial Services, LLC

1 (“Trustee”), came on for hearing on November 4, 2009, the Honorable Thomas B. Donovan,
2 United States Bankruptcy Judge, presiding.

3 The Court having considered the Motion and the Amendment and having found
4 that proper notice had been given, for good cause shown, and for the reasons stated in the
5 Court’s tentative ruling, the Court hereby Orders as follows:

6 IT IS HEREBY ORDERED that the Motion be, and the same hereby is granted.
7 Furthermore, the following claims filed on a secured basis are allowed or disallowed only as
8 follows:

9

Claim No.	Claimant	Claims to be Allowed as General Unsecured as follows:
121	Jack and Nonie White	\$562,655.00
241	Richard H. Elder	\$50,000.00
244	House Ear Clinic Profit Sharing Plan	\$500,000.00
252	Derald E. and Charlotte J. Brackmann	\$100,000.00
259	Derald E. and Charlotte J. Brackmann	\$200,000.00

17 # # #

24 DATED: November 12, 2009

23
24 
United States Bankruptcy Judge

In re: FOUR STAR FINANCIAL SERVICES, LLC,

Debtor(s).

CHAPTER 7

CASE NUMBER 2:03-bk-37579-TD

NOTE: When using this form to indicate service of a proposed order, DO NOT list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on the CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
5410 Trabuco Road, Suite 130
Irvine, CA 92620

The foregoing document described as **ORDER ON CHAPTER 7 TRUSTEE'S FIRST OMNIBUS MOTION FOR ORDER DISALLOWING AND/OR RE-CLASSIFYING SECURED INVESTOR CLAIMS** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On , **2009**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

 Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served):

On **November 8, 2009**, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.*

The Honorable Thomas B. Donovan – via U.S. Mail
U.S. Bankruptcy Court, Suite 1352
255 E. Temple Street
Los Angeles, CA 90012-3332

 Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on , **2009**, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. *Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.*

 Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

November 8, 2009

Pamela Kraus

Date

Type Name

/s/ Pamela Kraus

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California. *January 2009*

F 9013-3.1

In re: FOUR STAR FINANCIAL SERVICES, LLC, Debtor(s).

CHAPTER 7
CASE NUMBER 2:03-bk-37579-TD

NOTE TO USERS OF THIS FORM:

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** below: List **ONLY** addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. **DO NOT** list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER ON CHAPTER 7 TRUSTEE'S MOTION FOR ORDER DISALLOWING AND/OR RE-CLASSIFYING SECURED INVESTOR CLAIMS** was entered on the date indicated as AEntered@ on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (ANEF@) Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of **November 7, 2009** the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below:

United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
Richard A Marshack pkraus@marshackhays.com, rmarshack@ecf.epiqsystems.com

_Service information continued on attached page

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by U.S. Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

X Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an AEntered@ stamp, the party lodging the judgment or order will serve a complete copy bearing an AEntered@ stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below:

_Service information continued on attached page

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California. January 2009

F 9021-1.1

II. SERVED BY U.S. MAIL – continued:

SERVICE LIST

<u>ATTORNEY FOR DEBTOR</u> ARTHUR A GREENBERG, ESQ 16000 VENTURA BLVD SUITE 1000 ENCINO, CA 91436	<u>CLAIMANT</u> RICHARD H. ELDER 5372 HIGHLAND DRIVE SE BELLEVUE, WA 98006-4216	<u>CLAIMANT</u> DERALD E. & CHARLOTTE J. BRACKMANN 1708 MARENGO AVENUE SOUTH PASADENA, CA 91030
<u>CLAIMANT</u> HOUSE EAR CLINIC PROFIT SHARING TRUST 1708 MARENGO AVENUE SOUTH PASADENA, CA 91030	<u>CLAIMANT</u> JACK & NONIE WHITE 4400 PALOS VERDES DRIVE EAST RANCHO PALOS VERDES, CA 90274	